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## HAMPTON L. CARSON'S ADDRESS.

At the dedication of Price Hall in the new Law School Building of the University of Pennsylvania on the twenty-second of February last, Hampton L. Carson, of the Faculty of the Law Department, delivered the following address :

Mr. Provost, Ladies and Gentlemen—This hall is dedicated to the memory of Eli Kirk Price, a Trustee of the University of Pennsylvania from 1869 to 1884, and of his son, John Sergeant Price, president of the Central Committee of the Alumni of the University from 1882 to 1897, and President of the Society of the Alumni of the Law Department from 1890 to 1897.

As I look forth from this rostrum, the forms and faces of those estimable men appear to my mental vision as distinctly as though they were present in the flesh. Behold ! One of them, a tall, spare, venerable man, of more than eighty years of age, with clear, penetrating eyes beneath shaggy eyebrows, and with a high forehead crowned with locks which swept his shoulders and as white as the driven snow ; the other, a sturdy, thick-set man of but little more than middle age, with a winning smile, a rich, deep voice, and a heartiness of manner which warmed you to the core. They were my friends ; they were the friends of my father, and the duty which I discharge this afternoon is a labor of love. They were men of note in their day and generation ; men of ability, of influence, of usefulness, of character, of integrity and renown. While alive, they were respected by all who knew them, and the memory of their sterling worth is cherished by many friends. They were simple, unobtrusive, modest men ; they led clean, wholesome and honorable lives. They toiled incessantly for the public good, but sought none of the rewards of office. They were lawyers of unusual attainments, who lived up to the best traditions of the profession, who never soiled their palms, or dimmed the record of an honorable calling by a single act which would bring scarlet to the cheek of the most sensitive. To profound professional knowledge they added

an extensive acquaintance with philosophy and science. The elder man was remarkable for the breadth and depth of his insight into all matters affecting our civic welfare; while the younger one devoted himself unselfishly to the promotion of numerous public charities. Their descendants are worthy of their ancestry, and it is to their munificence that we owe this beautiful hall, which is henceforth to be the permanent home of the Pennsylvania Debating Union.

Mr. Eli K. Price was born, two years before the death of General Washington, in the neighborhood of the battle-ground of Brandywine, and his boyish eyes frequently looked upon scenes which have become classic in our Revolutionary annals. He was a sturdy youth, of Welsh, Irish and German descent; his German ancestors coming from the Palatinate of the Rhine. At twelve years of age he was so hardened by the labors of the farm that he was able to reap with a sickle his day's work of twelve sheaves, but he became impatient of the narrow horizon which hemmed him in, and, to use his own language, he escaped from the farm to enter the counting-room. He was employed by the well-known commercial house of Thomas P. Cope, then engaged in foreign trade, whose packets were the largest ships at that time afloat, and one of them I believe exists to-day, engaged in the petroleum trade. From thirteen to at least nineteen years of age he devoted himself to the study of commercial interests, and occasionally would look into books on commercial law and the law of shipping. His attention, however, became diverted little by little from purely mercantile pursuits, until he found himself attracted to the office of a great lawyer, to whose memory he felt that he could pay no more honest tribute of heartfelt respect than to name after his preceptor his own son, John Sergeant. Mr. Sergeant was at that time associated, so far as public estimation was concerned, on fair and equal terms with Horace Binney. In fact, any one whose mind travels back to the great names in that generation which reflect lustre upon the Philadelphia bar would naturally say "Sergeant and Binney." When Mr. Sergeant went to Congress, Mr. Price was a rising lawyer, who, having had the advantages of personal instruction in Mr. Sergeant's office, familiarity with his methods, acquaint-

ance with his clients, and ample knowledge of the details of current litigation, took the whole burden on his young shoulders of conducting successfully, until his distinguished leader's return, a vast and varied practice. These matters occur to me with much of personal interest, for it was my good fortune to read law in the very office, so far as the building was concerned, of the great John Sergeant. The book-cases were still there which had held volumes once conned by Mr. Price, the portraits which hung on the wall recalled the memories of great men and pure citizens, and I often thought of the influences under which Mr. Price laid the foundation of his professional usefulness and renown. But it was not altogether in the field of commercial law, which was Mr. Sergeant's leading line of business, that Mr. Price was destined to succeed. His attention was soon directed to the more difficult branch of real estate, and it is no discredit to any of his predecessors or successors to say that he became in the fullness of time the ablest real estate lawyer that the bar of Philadelphia ever produced. In fact, Mr. Price's signature to a brief of title was far more highly thought of than the policies issued by the great real estate title insurance companies. Mr. Price's single brain carried, stored within its cells, all the extraordinary, accumulated, and detailed learning which is now a part of the corporate plant of every title company in the city. If ever there was a man who knew accurately the history of titles from the time of Penn to the present day, who could run out all the ramifications, whether by deed, by descent, or by special devise, together with all the nice distinctions arising from subtle interpretations of the courts, it was Mr. Price, whose advice, sought upon all occasions, and whose judgment, relied upon by all clients, was frequently appealed to in settlement of matters as arbitrator, where his individual sagacity was preferred by business men to the chances of litigation in the courts. No wonder, then, that by the time he had reached the age of fifty-three years he stood, without rising on his toe tips, with head and shoulders in line with the tallest men in the foremost ranks of the profession. A demand was then made upon him for a public service which this generation and generations yet unborn will learn to

value as one of the most remarkable obligations on the part of posterity to a purely professional man that it has been the duty of professional annalists to record.

Reluctantly—he says it himself—he yielded to a call by his fellow-citizens to allow his name to be used as a candidate for the State Senate in the year 1851. The condition of affairs prevailing in the city of Philadelphia at that time was peculiar. It is not now recalled except by the memory of a venerable man, now nearly one hundred years of age, who still lingers on the scene, who was cherished as a colaborer in the Senate, a partner in many struggles entered into for the public good—I mean the venerable Frederick Fraley,<sup>1</sup> a man, who, with Mr. Price, headed the poll on an independent ticket, for the purpose of emancipating the city of Philadelphia from the chains which bound her. It is a curious chapter in our municipal history. Philadelphia proper was then but two miles square, consisting of twelve hundred and eighty acres of ground, extended from South to Vine streets, and from the river Delaware to the Schuylkill. Outside of this there were nine distinct districts, such as Spring Garden, Kensington, the Northern Liberties, Southwark and Roxborough. There were also thirteen distinct boroughs and four townships, and each of them was under a separate form of government. The county was split into numerous fragments, each boasting of its sovereignty. There were frequent riots and bloodshed in the streets, citizens were massacred because of hatred of men of color or religious antipathies, while conflagrations were kindled by contending factions of firemen for the entertainment of visiting strangers. Philadelphia holidays were graced by free fights in the streets, by the burning of churches, or the riots of 1844; the scenes were reenacted of the Via Appia in the old days of Rome, when the faction of Milo contended with that of Claudius, and when criminals who had violated the laws and ordinances of the city of Philadelphia found immunity in escaping over an imaginary line on the north side of Vine street. The mighty energies of the municipality were paralyzed; her enterprises were dwarfed, and became pinched for want of sustenance and air. Philadelphia, which had been the leading city of the continent, the federal capital in the

days of the Revolution, the metropolis of the Washington and Adams administrations, pined and shrank until it became the fourth city in the Union. Clear-sighted men foresaw that a public service could be rendered to this great county similar in character to that performed by the Federal Convention, when out of thirteen separate sovereignties there was organized and evolved a national government for the boundless territory of the Republic. Mr. Price was a man tall enough "to see the tops of distant thoughts which men of common stature never saw," and looking far into the future he saw the skies brightening with the glow of promise. At the sacrifice of his own individual convenience, at the loss of great professional emolument, at the earnest solicitation of a nonpartisan representation of the citizens, he consented to an election to the State Senate. No words of mine can add force to those which Horace Binney used in a letter written to his own son, when he heard that Mr. Price's candidacy was spoken of, or can exceed them in fitness of eulogy.

"I should think your battle would be half won if you could place Eli K. Price's name, with his consent, at the head of your list. His name is a pledge already given, and not likely to be forfeited, for qualities specially necessary at such a time and on such an occasion: experience in civil affairs, general knowledge, talents, integrity, moral courage, constancy, and conscientiousness. He has, moreover, great *practicalness* and facility that enable him to impress other minds with his own convictions."

Needless to say the ticket was successful, and the Consolidation Act of 1854, the second great charter of our city, the precursor of the Bullitt Bill, was passed largely through his efforts; and what was the effect? The great territories which stretched out on every side, consisting of vacant fields and dilapidated buildings, suddenly, as though from a stroke of the enchanter's wand, sprang up into a great, thriving, beautiful and evergrowing metropolis. The city of Philadelphia became the jeweled bride of the Commonwealth. Many years afterwards, looking beyond the scene of his achievements, and peering, as old men gifted with a touch of prophecy sometimes do, far into the future, Mr. Price predicted, as I

believe no other man has yet done, that the day is not distant when Montgomery and Chester and Delaware counties will knock at the doors of Philadelphia, and pray that all the prosperous boroughs and thriving townships which lie between here and Downingtown, and from Chester to Bristol, should be embraced under one charter of municipal government, which will cause the life-blood of a great community to pulsate through widely articulated veins.

A great statesman was this quiet Quaker lawyer. A great public benefactor, most modest man that he was. Then, taking his pen, and giving to the public, without fee or hope of reward, not even covetous of the benedictions which now rise to the lips of generations which call him "blessed," he sat down and penned that great statute for the unfettering of our titles, known as the Price Act, which has stricken off the fetters which shackled our real estate, and which, in the language of one of our great jurists, has introduced more in the way of practical reform into the law than anything that has occurred since the days of the great case of *Taltarum*.

It was my privilege to be present at a dinner given by the bar of Philadelphia when Chief Justice Sharswood retired from the bench, and laid aside the ermine which he had worn so spotlessly and without reproach for many years. Seated on his right,—I can see him now,—with eager, earnest, benignant face, was Mr. Price, who gazed at the magistrate who had put into the lasting form of judicial expression the principles which he himself had formulated in the office or had stated at the bar, and the Chief Justice, turning to the venerable leader, said, "Mr. Price was not what in England would have been called a conveyancer, but he is fit to rank with the great names of Booth, of Fearne, of Preston and of Hargrave." On the opposite side of the table sat the most renowned of English barristers, then visiting this country, Mr. Sergeant Ballentyne, a man who went all the way to India to defend the Gukwar of Baroda, who rose and said that in the whole course of his professional career—and he had been present at many meetings of the bar at Lincoln's Inn, in the Middle Temple, and at Gray's Inn—he could not recall anything more touching than the manner in which the veteran

leader faced the great Chief Justice, and the Chief Justice paid tribute to the integrity and character of the leader.

I remember also entering a crowded hall, now some thirty years ago, where there was a tumultuous assemblage. It was in the old wigwam in the northern part of the city. A speech was to be delivered by the renowned orator of the black race, Frederick Douglass, and there was great anxiety on the part of all present to hear him. Mr. Price arose to address the meeting, and among the younger generation there were but few who knew who he was, and some disturbance occurred because of the eagerness to hear Douglass. The noise rose almost to the point of tumult; Mr. Price, with the trembling voice of great age, was unable to control it, when the chairman of the meeting rose, and in tones which penetrated to the utmost recesses of the hall, said: "Gentlemen, there are many of you who were not alive when the gentleman who is now addressing you was a faithful and an honored public servant. I simply mention his name in this presence. The man who is now speaking is Eli K. Price." Instantly the feeling of respect was such that there was a hush through the hall, and for fifteen minutes the most rapt attention was paid to the words of one fast verging on eternity: words of political wisdom, words of cheer, words which thrilled the hearts of that vast audience, because all recognized that largely owing to Mr. Price's courageous and persistent advocacy of the cause of freedom it had become possible for a black man to speak without insult or rebuke before an audience in Philadelphia.

Mr. Price did not devote his attention entirely to professional pursuits. As he threw on the shoulders of his affectionate son the burden of the cares of a great office business, he turned his eyes to those shining heights of science and philosophy on which thinkers love to dwell, particularly as they are near the closing scenes of life. Before the American Philosophical Society, before the American Numismatic Society he read papers and discussed the current science of the day. I recall the titles of his papers, "The Glacial Epoch," "Some Phases of Modern Philosophy;" and with a lawyer's well-trained faculties which enabled him in discussion to balance evidence and apply rules, he accomplished



a task which surprised many persons by demonstrating that a lawyer was interested in much beyond the limits of his own profession.

His love of plants and trees found full expression in his work in Fairmount Park, where as a commissioner he labored hard upon the establishment of the Michaux Grove. He himself described the significance of a mound which he himself erected, standing over here within a stone's throw of the campus, a rockery in the shape of a clover leaf, giving us an interesting geological description, thus indicating the extraordinary character of his attainments and the range and versatility of his mind. In 1884, in his eighty-eighth year, he passed away.

The burden of a great business fell on the shoulders of his son, John Sergeant Price, a man who easily sustained the distinction of a great name.

Mr. John Sergeant Price was not as frequently in the courts as some of the other advocates if we confine our attention simply to the Courts of Common Pleas, but in the Orphans' Court, the Court of Probate, I think it safe to say that, during the years in which he appeared there, but few practitioners more frequently or substantially assisted the judges in the discharge of their arduous and intricate duties. But few counselors ever gave to a court the fruits of learning in such abundance. No man ever discharged his debt to his profession with more unselfish and untiring persistence. But few men ever poured forth upon the records such a profuse display of varied ability to deal with complicated accounts, with intricate settlements, and forms of entail. He carried in his heart and in his head the precepts and the learning of his father.

As a man and as a citizen, he illustrated many types of excellence. He was robust in his friendships, earnest in his advocacy of plans for public improvements, and stern in his denunciations of wrong. He wrote his name on the records of no less than eighteen public charities, and during twenty years served as a member of numerous committees, and presided over the meetings of the Central Committee of the Alumni and the Alumni of the Law Department. He was

never known to absent himself from a single meeting or to send a single line of excuse for nonperformance of duty; he was a man the fullness of whose affectionate nature folded about him the warmest sympathy and loyalty of his friends.

Such were they, father and son, whom we honor to-day. The characters of some men are made of granite; those of others seem to be but sand and clay. In the action and interaction of the wild waves of life, which sweep in stormy surges through the lives of most professional men, all the perishable parts are washed away, and there appear the rock-ribbed hills, which stand for firmness, for integrity, for nobility of aims, on whose sides can be seen inscribed, in characters to be read by all, the lessons of their lives; and as they recede in that haze of years which pass one by one like cloud-rifts before us, finally the illumined summits appear on which the eyes love to linger, because they point to an atmosphere of holiness.

Gentlemen of the Pennsylvania Debating Union, it is in memory of good men that this hall is founded. Of what use is it to talk of the examples of noble lives, or of the deeds of those who have "crossed the bar," unless we have ourselves a fixed determination to make our conduct a fair pattern of theirs, and, in the language of Goethe, "So act that the rules of our lives shall become the principles of eternal law." Here on this floor you will contend in debate. You will discuss many strange and arduous questions. The problems of the world are not yet solved, and new situations are presented every day. As I listened this morning to that admirable address in the Academy of Music from the lips of an Oriental, discussing, in our own tongue and without an accent to betray a foreign origin, not only the great problems of the present, but forecasting the probable issues of the future, I felt that no academic occasion of the last hundred years was more significant of results. An Oriental talking in the Occident! How long will it be before a man from this great, growing, struggling western Republic will talk in the Orient in the tongue of Wu Ting Fang? What message have we for the children of the sun? How many subjects of debate are suggested by that single thought, which must be worked out and discussed here! Remember, gentlemen, it is not dexterity in debate,

nor satisfaction in fleshing your sword in the argument of your adversary, nor simply skill in dialectics that you are alone to acquire. You must search for truth, absolute truth. If we learn aright the lessons so impressively taught us, not only by the addresses and the ceremonies of the last few days, but by the lives of the men whose memories we to-day clasp to our hearts, we must feel that there can be no nobler self-sanctification than to the cause of our God, our country, and truth.